

104TH CONGRESS
2D SESSION

H. R. 3496

To make certain Federal facilities available to qualified assistance organizations for use as temporary shelters for homeless individuals during non-business hours.

IN THE HOUSE OF REPRESENTATIVES

MAY 21, 1996

Mr. CAMPBELL introduced the following bill; which was referred to the
Committee on Government Reform and Oversight

A BILL

To make certain Federal facilities available to qualified assistance organizations for use as temporary shelters for homeless individuals during nonbusiness hours.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Emergency Shelter Act
5 of 1996”.

1 **SEC. 2. AVAILABILITY OF [PUBLIC AREAS OF] CERTAIN**
2 **FEDERAL FACILITIES FOR TEMPORARY**
3 **SHELTER FOR HOMELESS INDIVIDUALS.**

4 (a) IN GENERAL.—Upon request from a qualified as-
5 sistance organization, the head of an executive agency
6 shall make available to the organization in accordance
7 with this section covered facilities (or any part thereof)
8 under the control of the agency for use as temporary shel-
9 ter for homeless individuals.

10 (b) LIMITATIONS.—The head of an executive agency
11 shall not make an area available under this section—

12 (1) if the agency head determines that the area
13 is not suitable for use as temporary shelter under
14 this section because of safety or health concerns;

15 (2) if laws of the State or local jurisdiction
16 where the facility is located relating to safety or
17 health would prohibit use of the area for temporary
18 shelter under this section;

19 (3) during any period the area is used for other
20 official Federal Government purposes;

21 (4) if use of the area under this section would
22 displace any other community use of the area that—

23 (A) was occurring before January 1, 1997;

24 and

25 (B) has been continuous or serially recur-
26 ring since that date.

1 (c) TERMS OF USE.—Use of an area under this sec-
2 tion by a qualified assistance organization shall be on
3 terms and conditions agreed to by the organization and
4 the executive agency having control of the area.

5 (d) CONSULTATION REQUIRED.—In carrying out this
6 section, the head of an executive agency shall consult with,
7 and consider issues raised by, units of local government
8 regarding the application of health and safety regulations
9 and other concerns of local government, with the goal of
10 implementing this section with minimum harm to those
11 concerns.

12 (e) RULE OF CONSTRUCTION.—This section shall not
13 be construed to—

14 (1) require the Federal Government to make
15 any expenditure in connection with the use under
16 this section of a covered facility by a qualified assist-
17 ance organization; or

18 (2) reduce amounts available under other provi-
19 sions of Federal law for shelters for homeless indi-
20 viduals.

21 (f) PROVISIONS TO MINIMIZE COSTS TO FEDERAL
22 GOVERNMENT.—

23 (1) ACCEPTANCE OF DONATIONS TO OFFSET
24 COSTS.—An executive agency may accept and use
25 contributions of funds from private sources or units

1 of local government to offset costs incurred by the
2 agency in complying with this section.

3 (2) CAP ON EXPENDITURES.—Subsection (a)
4 shall not apply to a covered facility if that applica-
5 tion would result in a net cost to the executive agen-
6 cy that controls the facility of more than \$1,000 in
7 any year.

8 (g) DEFINITIONS.—For purposes of this section:

9 (1) COVERED FACILITY.—The term “covered
10 facility” means any building, structure, land, or
11 other real property, other than property being used
12 for an activity conducted by the Department of De-
13 fense.

14 (2) EXECUTIVE AGENCY.—The term “executive
15 agency” has the meaning given that term in section
16 3 of the Federal Property and Administrative Serv-
17 ices Act of 1949 (40 U.S.C. 472).

18 (3) HOMELESS INDIVIDUAL.—The term “home-
19 less individual” has the meaning set forth in section
20 103 of the Stewart B. McKinney Homeless Assist-
21 ance Act (42 U.S.C. 11302).

22 (4) QUALIFIED ASSISTANCE ORGANIZATION.—
23 The term “qualified assistance organization” means
24 a State or local government agency, a nonprofit or-

1 ganization, or any combination thereof, that provides
2 temporary shelter for homeless individuals.

3 (h) REPEAL.—This section is repealed effective Janu-
4 ary 1, 2002.

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